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PTO/SB/21 (09-04)

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| | | |
|---|------------------------|-----------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/786710-Conf. #3651 |
| | Filing Date | February 24, 2004 |
| | First Named Inventor | Mark L. NELSON |
| | Art Unit | 1626 |
| | Examiner Name | A. B. Freistein |
| Total Number of Pages in This Submission | Attorney Docket Number | PAZ-025CPCN |

| ENCLOSURES (Check all that apply) | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard PTO form SB/08 Certificate of Mailing Copies of Ten (10) References |
| <div>Remarks</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|--------------------------|----------|--------|
| Firm Name | LAHIVE & COCKFIELD, LLP | | |
| Signature | <i>Cynthia M. Sproos</i> | | |
| Printed name | Cynthia M. Sproos | | |
| Date | June 6, 2006 | Reg. No. | 53,623 |

| | |
|---|---|
| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| Dated: June 6, 2006 | Signature: <i>Cynthia M. Sproos</i> (Cynthia M. Sproos) |



PTO/SB/17 (12-04v2)

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| Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). | | Complete if Known | |
| FEE TRANSMITTAL For FY 2005 | | Application Number | 10/786710-Conf. #3651 |
| | | Filing Date | February 24, 2004 |
| | | First Named Inventor | Mark L. NELSON |
| | | Examiner Name | A. B. Freistein |
| | | Art Unit | 1626 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Attorney Docket No. | PAZ-025CPCN |
| TOTAL AMOUNT OF PAYMENT | | (\$) | 180.00 |

METHOD OF PAYMENT (check all that apply)

| | | | | |
|--|--------------------------------------|--|-------------------------------|---|
| <input type="checkbox"/> Check | <input type="checkbox"/> Credit Card | <input type="checkbox"/> Money Order | <input type="checkbox"/> None | <input type="checkbox"/> Other (please identify): _____ |
| <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>12-0080</u> Deposit Account Name: <u>Lahive & Cockfield, LLP</u> | | | | |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) | | | | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below | | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee | | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | | <input checked="" type="checkbox"/> Credit any overpayments | | |

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| | | | | | | |
|----------------------|---------------------|-----------------|----------------------|----------------------------------|-----------------|----------------------|
| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | | | |
| _____ | _____ | _____ | _____ | | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| _____ | _____ | _____ | _____ | _____ |

4. OTHER FEE(S)

| | Fees Paid (\$) |
|--|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | |
| Other (e.g., late filing surcharge): <u>1806 Submission of an Information Disclosure Statement</u> | <u>180.00</u> |

| | | | |
|---------------------|-------------------|-----------------------------------|----------------|
| SUBMITTED BY | | | |
| Signature | | Registration No. (Attorney/Agent) | 53,623 |
| Name (Print/Type) | Cynthia M. Soroos | Telephone | (617) 227-7400 |
| | | Date | June 6, 2006 |

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Dated: June 6, 2006

Signature: (Cynthia M. Soroos)



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Dated: June 6, 2006

Signature:

Cynthia M. Soroos
(Cynthia M. Soroos)

Docket No.: PAZ-025CPCN
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark L. Nelson *et al.*

Application No.: 10/786710

Confirmation No.: 3651

Filed: February 24, 2004

Art Unit: 1626

For: 7- AND9- CARBAMATE, UREA,
THIOUREA, THIOCARBAMATE, AND
HETEROARYL-AMINO SUBSTITUTED
TETRACYCLINE COMPOUNDS

Examiner: A. B. Freistein

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (SIDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicants hereby make of record the following additional documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

Applicants have not submitted copies of each cited U.S. patent and U.S. patent application in accordance with 37 CFR 1.98(a)(2)(ii). Applicants submit herewith copies of foreign patents and non-patent references in accordance with 37 CFR 1.98(a)(2).

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that

06/09/2006 HDETA1 00000001 120080 10786710

01 FC:1806 180.00 DA

such document is prior art. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

Applicants bring to the Examiner's attention the following co-pending applications:

| | | | |
|-----------------|-----------|-------------|----------|
| U.S. Serial No. | 10/652712 | Filing Date | 08/28/03 |
| U.S. Serial No. | 11/305048 | Filing Date | 12/16/05 |
| U.S. Serial No. | 11/397445 | Filing Date | 04/04/06 |
| U.S. Serial No. | 10/738862 | Filing Date | 12/16/03 |
| U.S. Serial No. | 10/839023 | Filing Date | 05/04/04 |
| U.S. Serial No. | 10/921580 | Filing Date | 08/18/04 |
| U.S. Serial No. | 10/692563 | Filing Date | 10/24/03 |
| U.S. Serial No. | 10/943571 | Filing Date | 09/16/04 |
| U.S. Serial No. | 10/996119 | Filing Date | 11/22/04 |
| U.S. Serial No. | 11/283571 | Filing Date | 11/18/05 |
| U.S. Serial No. | 10/619653 | Filing Date | 07/14/03 |
| U.S. Serial No. | 10/636437 | Filing Date | 08/06/03 |
| U.S. Serial No. | 11/292552 | Filing Date | 12/02/05 |
| U.S. Serial No. | 10/752378 | Filing Date | 01/05/04 |
| U.S. Serial No. | 10/737361 | Filing Date | 12/15/03 |
| U.S. Serial No. | 10/740961 | Filing Date | 12/18/03 |
| U.S. Serial No. | 10/692764 | Filing Date | 10/24/03 |
| U.S. Serial No. | 10/786881 | Filing Date | 02/24/04 |
| U.S. Serial No. | 10/877928 | Filing Date | 06/25/04 |
| U.S. Serial No. | 11/039230 | Filing Date | 01/18/05 |
| U.S. Serial No. | 10/877454 | Filing Date | 06/25/04 |
| U.S. Serial No. | 11/330700 | Filing Date | 01/12/06 |
| U.S. Serial No. | 11/258622 | Filing Date | 10/25/05 |
| U.S. Serial No. | 11/258613 | Filing Date | 10/25/05 |
| U.S. Serial No. | 11/348608 | Filing Date | 02/06/06 |
| U.S. Serial No. | 11/182247 | Filing Date | 07/14/05 |
| U.S. Serial No. | 11/004559 | Filing Date | 12/03/04 |
| U.S. Serial No. | 10/616531 | Filing Date | 07/09/03 |
| U.S. Serial No. | 11/390902 | Filing Date | 03/28/06 |
| U.S. Serial No. | 10/982728 | Filing Date | 11/04/04 |
| U.S. Serial No. | 10/819343 | Filing Date | 04/05/04 |
| U.S. Serial No. | 10/820456 | Filing Date | 04/07/04 |
| U.S. Serial No. | 10/866220 | Filing Date | 06/10/04 |
| U.S. Serial No. | 11/300917 | Filing Date | 12/15/05 |

Please charge our Deposit Account No. 12-0080 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

Application No.: 10/786710

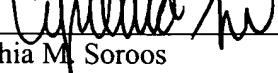
Docket No.: PAZ-025CPCN

hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. PAZ-025CPCN. A duplicate copy of this paper is enclosed.

Dated: June 6, 2006

CMS/MLR/mch

Respectfully submitted,

By 
Cynthia M. Soroos
Registration No.: 53,623
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant



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| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/786710-Conf. #3651 |
| | | | | Filing Date | February 24, 2004 |
| | | | | First Named Inventor | Mark L. NELSON |
| | | | | Art Unit | 1626 |
| | | | | Examiner Name | A. B. Freistein |
| Sheet | 1 | of | 2 | Attorney Docket Number | PAZ-025CPCN |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | A1* | US-3,341,585 | 09-12-1967 | Bitha, P., et al. | |
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| | A45* | US-20050187198-A1 | 08-25-2005 | Nelson et al. | |

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|



PTO/SB/08a/b (07-05)

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| | | | | First Named Inventor | Mark L. NELSON |
| | | | | Art Unit | 1626 |
| | | | | Examiner Name | A. B. Freistein |
| Sheet | 2 | of | 2 | Attorney Docket Number | PAZ-025CPCN |

| | | | | |
|------|-------------------|------------|------------------|--|
| A46* | US-20050215532-A1 | 09-29-2005 | Levy et al. | |
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| A53* | US-20060089336-A1 | 04-27-2006 | Nelson et al. | |
| A54* | US-7,045,507-A1 | 05-16-2006 | Draper et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|--------------------------------|---|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | B1 | EP-0582829-B1 | 02-16-1994 | American Cyanamid Company | | |
| | B2 | EP-0618190-B1 | 10-05-1994 | Wyeth Holdings Corporation | | |
| | B3 | WO-01/19784-A1 | 03-22-2001 | Trustees of Tufts College | | |
| | B4 | WO-01/74761-A1 | 10-11-2001 | Trustees of Tufts College | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | C1 | Barden, Timothy C. et al, "Glycylcyclines". 3. 9-Aminodoxycyclinecarboxamides," <i>J. Med. Chem.</i> , Vol. 37:3205-3211 (1994) | |
| | C2 | Koza, Darrell J., "Synthesis of 7-Substituted Tetracycline Derivatives," <i>Organic Letters</i> , Vol. 2(6):815-817 (2000) | |
| | C3 | Koza, Darrell J. et al, "Palladium Catalyzed C-N Bond Formation in the Synthesis of 7-Amino-Substituted Tetracyclines," <i>J. Org. Chem.</i> , Vol. 67:5025-5027 (2002) | |
| | C4 | Koza, Darrell J. et al, "Synthesis and Biological Evaluation of 9-Substituted Tetracycline Derivatives," <i>Bioorganic & Medicinal Chemistry Letters</i> , Vol. 12:2163-2165 (2002) | |
| | C5 | Sum, Phaik-Eng et al, "Glycylcyclines. 1. A New Generation of Potent Antibacterial Agents through Modification of 9-Aminotetracyclines," <i>J. Med. Chem.</i> , Vol. 37:184-188 (1994) | |
| | C6 | Sum, Phaik-Eng et al, "Synthesis and Structure-Activity Relationship of Novel Glycylcycline Derivatives Leading to the Discovery of GAR-936," <i>Bioorganic & Medicinal Chemistry Letters</i> , Vol. 9:1459-1462 (1999) | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|



Application No. (if known): 10/786710

Attorney Docket No.: PAZ-025CPCN

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Date

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Cynthia M. Soroos

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53,623
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Supplemental Information Disclosure Statement (3 pages, in duplicate)
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Copies of Ten (10) References